



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

June 15, 2015

Mr. Larry Allen
Air Pollution Control Officer
San Luis Obispo County Air Pollution Control District
3433 Roberto Court
San Luis Obispo, California 93401

Dear Mr. Allen:

Thank you for relaying the request from the San Luis Obispo County Air Pollution Control District (District) Board for the U.S. Environmental Protection Agency (EPA) perspective on replacing District Rule 1001, "Coastal Dunes Dust Control Requirements," with a memorandum of agreement (MOA) between the District and California State Parks.

As stated in our recent letters to the District and to the Concerned Citizens for Clean Air (attached), the reported 2012-2014 exceedances of the particulate matter (24-hour PM₁₀ and 2006 24-hour PM_{2.5}) National Ambient Air Quality Standards (NAAQS) at Oceano Dunes pose a serious public health concern. District studies link these exceedances to vehicular disturbance of beach and sand dunes. We have supported the District's strategy of relying on Rule 1001 to address these exceedances, stating that if legal or other developments close off this approach, EPA, the State and District will need to re-visit other options for addressing NAAQS exceedances, including the possibility of federal action to designate the area to non-attainment for the 24-hour PM₁₀ and the 2006 24-hour PM_{2.5} NAAQS.

Rule 1001 provides a locally enforceable mechanism to control particulate pollution and is one demonstration of the District's intent to meaningfully address this health problem. Any alternative mechanism would need to be similarly directly enforceable and include expeditiously implemented control measures that provide the emission reductions that will help attain the health-based particulate standards. We continue to believe that pollution control measures such as those contained in Rule 1001 can provide a reasonable basis for regulating the activities that cause anthropogenic emissions from the beach and sand dunes.

The District adopted Rule 1001 in 2011 and, despite delays, the District and State Parks now appear to be making progress towards implementing Rule 1001 to achieve compliance with health-based particulate standards. We are very concerned that a new approach, such as an MOA, would take significant time to develop, erode the District's ability to directly enforce Rule 1001 and further delay the emission reductions that are critical to addressing the health impacts

from elevated particulate levels downwind of the dunes. If an alternate mechanism is explored, it must be enforceable by the District and contain measures at least as stringent and as timely as those in Rule 1001 to protect public health.

Please feel free to call me at (415) 972-3296 or Matt Lakin at (415) 972-3851 if you would like to discuss these issues further.

Sincerely,

A handwritten signature in black ink that reads "Colleen McKaughan". The signature is written in a cursive style with a large, stylized "C" and "M".

Colleen McKaughan
Acting Director, Air Division

Enclosures

cc. Kurt Karperos, California Air Resources Board



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75 Hawthorne Street

San Francisco, CA 94105-3901

MAY 08 2015

Rachelle Toti and Arlene Versaw
Concerned Citizens for Clean Air
P.O. Box 118
Arroyo Grande, California 93420

Dear Ms. Toti and Ms. Versaw:

I am writing in response to your April 15, 2015 letter to EPA Regional Administrator Jared Blumenfeld regarding the air quality and related health concerns in southern San Luis Obispo County. Specifically, you requested that EPA take action to designate southern San Luis Obispo County as a nonattainment area for PM_{2.5} (particulate matter less than 2.5 microns in diameter) and PM₁₀ (particulate matter less than 10 microns in diameter). You also asked that EPA work closely with the San Luis Obispo Air Pollution Control District (District), California Air Resources Board (ARB), and the California Department of Parks and Recreation (State Parks) on implementation of District Rule 1001, "Coastal Dunes Dust Control Requirements," as well as provide support for additional monitoring.

As you indicate in your letter, between 2012 and 2014, the CDF monitor, a required regulatory monitor near the Oceano Dunes, has reported seven exceedances of the 2006 24-hour PM_{2.5} National Ambient Air Quality Standard (NAAQS) and seven exceedances of the 24-hour PM₁₀ NAAQS. According to the District's 2010 Phase 2 South County Particulate Study, these exceedances are attributable to vehicular disturbance of beach and sand dunes. These data suggest that the operation of vehicles on dunes is contributing to the exceedances of the NAAQS, which are intended to protect human health and the environment. This poses a public health concern that the District has been attempting to address, primarily through implementation of District Rule 1001.

We have supported and continue to support the District's efforts to address the anthropogenic emissions from the beach and sand dunes, and believe that pollution control measures such as those contained in Rule 1001 can provide a reasonable basis for regulating this activity in order to protect human health. On April 15, 2015, Deborah Jordan, Region 9's Air Division Director, sent a letter to the District's Air Pollution Control Officer, Larry Allen, informing him that EPA and the District would need to re-visit other options for addressing NAAQS exceedances if legal or other developments impact the District's strategy of relying on Rule 1001 to address PM_{2.5} and PM₁₀ NAAQS exceedances. Such options could include federal action to designate the area to nonattainment for the 2006 24-hour PM_{2.5} NAAQS and/or the 24-hour PM₁₀ NAAQS. A designation to nonattainment would trigger a comprehensive planning process to achieve clean air. A copy of this letter is enclosed.

We are working with the District and ARB regarding monitoring and regulatory actions associated with the Oceano Dunes. We understand that ARB has been working with State Parks and the District to implement District Rule 1001, including the design and implementation of mitigation measures to reduce particulate matter pollution in areas downwind of the dunes. As part of this effort, ARB senior management met with the District Board in the fall of 2014 to discuss their work with the Coastal Commission and State Parks, the technical team's review of mitigation studies, and the next steps for

mitigation. In February 2015, ARB, State Parks, and District technical staff and consultants visited Oceano Dunes to plan the extent and location of mitigation measures to be deployed during 2015 and associated dust and meteorological monitoring. ARB has committed to update the District Board in June 2015.

In addition, the District is required to submit a monitoring network assessment to EPA in the summer of 2015. This network assessment is expected to evaluate whether the number and placement of monitors are adequate to meet the agencies' monitoring objectives, including the determination of compliance with the PM_{2.5} and PM₁₀ NAAQS. Our discussions with the District indicate that their assessment will include evaluation of the adequacy of PM monitoring in southern San Luis Obispo County, including whether the siting of monitors is appropriate and meets the requirement to measure the expected maximum concentrations.

Please feel free to call me at (415) 972-3851 if you would like to further discuss the air quality issues in San Luis Obispo. If you would like to discuss air quality monitoring, you can contact Meredith Kurpius at (415) 947-4534.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Lakin', with a stylized flourish at the end.

Matthew Lakin
Manager, Air Planning Office

Enclosure

cc: Larry Allen, San Luis Obispo County Air Pollution Control District



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75 Hawthorne Street
San Francisco, CA 94105-3901

April 15, 2015

Mr. Larry Allen
Air Pollution Control Officer
San Luis Obispo County Air Pollution Control District
3433 Roberto Court
San Luis Obispo, California 93401

Dear Mr. Allen:

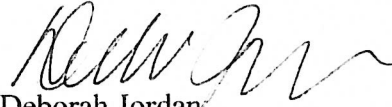
Thank you for bringing to EPA's attention recent developments that relate to San Luis Obispo County Air Pollution Control District's (District's) efforts to regulate particulate matter pollution pursuant to Rule 1001, "Coastal Dunes Dust Control Requirements." As you know, during the 2012-2014 time period, the District's CDF monitor, a required regulatory monitor near the Oceano Dunes, has reported seven air quality exceedances of the 2006 24-hour $PM_{2.5}$ and seven exceedances of the 24-hour PM_{10} national ambient air quality standards (NAAQS). This poses a serious health concern which the District has been attempting to address. According to the District's 2010 Phase 2 South County Particulate Study, these exceedances are attributable to vehicular disturbance of beach and sand dunes. These data suggest that the operation of vehicles on dunes is contributing to the exceedances of the NAAQS, which are intended to protect human health and the environment.

We understand that a recent decision by the California Court of Appeal may have impacted the District's ability to implement and enforce Rule 1001. This development raises concerns regarding the future viability of the District's strategy of relying on Rule 1001 to address $PM_{2.5}$ and PM_{10} NAAQS exceedances. If legal or other developments close off this approach, EPA and the District will need to re-visit other options for addressing NAAQS exceedances, including the possibility of federal action to designate the area to non-attainment for the 2006 24-hour $PM_{2.5}$ NAAQS and/or the 24-hour PM_{10} NAAQS. A designation to nonattainment would trigger a comprehensive planning process to achieve clean air.

With these facts in mind, we want to reiterate our support for the District's efforts thus far to address the anthropogenic emissions from the beach and sand dunes. We continue to believe that pollution control measures such as those contained in Rule 1001 can provide a reasonable basis for regulating this activity in order to protect human health.

Please feel free to call me at (415) 972-3133 if you would like to further discuss options for meeting the PM_{2.5} and PM₁₀ NAAQS in San Luis Obispo County.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Deborah Jordan', with a stylized, flowing script.

Deborah Jordan
Director, Air Division

cc: Richard Corey, California Air Resources Board